

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ROGER A. MONTGOMERY,)
)
Petitioner,)
)
vs.) CIVIL NO. 02-1160-GPM
)
MICHAEL HOLMES and ILLINOIS)
STATE ATTORNEY GENERAL,)
)
Respondents.)

JUDGMENT IN A CIVIL CASE

DECISION BY COURT. This action came before the Court on the Report and Recommendation by United States Magistrate Judge Clifford J. Proud.

IT IS ORDERED AND ADJUDGED that the Report and Recommendation is adopted and Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 is denied. Judgment is entered in favor of Respondent, **MICHAEL HOLMES**, and against Petitioner, **ROGER A. MONTGOMERY**.

IT IS FURTHER ORDERED AND ADJUDGED that pursuant to Memorandum and Order dated August 4, 2003, **ILLINOIS STATE ATTORNEY GENERAL** is dismissed with prejudice. This action is dismissed **with prejudice**.

DATED: 3/16/06

NORBERT G. JAWORSKI, CLERK

By: s/ Linda M. Cook
Deputy Clerk

APPROVED: s/ G. Patrick Murphy
G. PATRICK MURPHY
CHIEF U.S. DISTRICT JUDGE